

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v. CRIMINAL ACTION NO. 2:15-00218

RICHARD HOWARD KING, II

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On August 31, 2021, the United States of America appeared by L. Alexander Hamner, Assistant United States Attorney, and the defendant, Richard Howard King, II, appeared in person and by his counsel, Rhett H. Johnson, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Patrick M. Fiddler. The defendant commenced an 18-month term of supervised release in this action on September 17, 2019, as more fully set forth in the Supervised Release Revocation and Judgment Order Memorandum Opinion and Order entered by the court on August 20, 2018.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant, while at a bar and grill in Cross Lanes, Kanawha County, West Virginia, was in possession of ammunition in violation of the terms of his supervised release; and, (2) on August 20, 2020, September 10 and September 30, 2020, October 6, 2020, November 23, 2020, and December 15, 2020, the defendant submitted urine specimens, which tested positive for marijuana, and on August 13, 2020, the defendant admitted to his probation officer that he had smoked marijuana approximately three weeks earlier; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

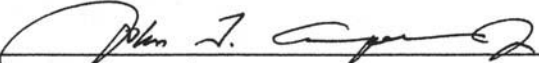
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

It is further ORDERED that the sentencing in this matter be, and hereby is, scheduled for 1:30 p.m. on December 9, 2021.

The defendant was remanded to the custody of the United States Marshal pending sentencing.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: October 25, 2021



John T. Copenhaver, Jr.
Senior United States District Judge